



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHANCE BRANNON,
TIBET ERGUL, and
XAVIER BATTEN,

Defendants.

SA CR 8:23-cr-00100-CJC

I N D I C T M E N T

[18 U.S.C. § 844(n): Conspiracy;
18 U.S.C. §§ 844(i), 2(a):
Malicious Destruction of Property
by Fire and Explosive; 26 U.S.C.
§ 5861(d): Possession of an
Unregistered Destructive Device;
18 U.S.C. §§ 248(a)(3), 2(a):
Intentional Damage to a
Reproductive Health Services
Facility]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Planned Parenthood was a well-known multi-state women's health provider that was affiliated with a clinic located in Costa Mesa, California, within the Central District of California ("Planned Parenthood").

2. Planned Parenthood provided a wide range of health, wellness, and education services to the community, including

1 vaccinations, preventative care appointments, mammograms, pregnancy
2 testing, and counseling.

3 3. Among Planned Parenthood's services, Planned Parenthood
4 publicly offered patients reproductive health services, including
5 medical, surgical, counselling or referral services relating to the
6 human reproductive system, including services relating to pregnancy
7 or the termination of a pregnancy.

8 4. These Introductory Allegations are incorporated into Counts
9 One through Four of this Indictment.

COUNT ONE

[18 U.S.C. § 844(n)]

A. OBJECT OF THE CONSPIRACY

Beginning on an unknown date, but no later than in or around February 2022, and continuing to an unknown date, but at least until on or about March 13, 2022, in Orange County, within the Central District of California, and elsewhere, defendants CHANCE BRANNON, TIBET ERGUL, and XAVIER BATTEN conspired and agreed with each other to maliciously damage and destroy, by means of fire and explosive, property used in interstate or foreign commerce, and used in activities affecting interstate and foreign commerce namely, Planned Parenthood, in violation of Title 18, United States Code, Section 844(i).

B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

The object of the conspiracy was to be accomplished, in substance, as follows:

1. Defendants BRANNON and ERGUL would choose a property to target.
2. Defendants BRANNON and ERGUL would obtain the materials necessary to build a destructive device, namely, a Molotov cocktail.
3. Defendant BATTEN would advise and direct defendant BRANNON regarding how to build the Molotov cocktail.
4. Defendants BRANNON and ERGUL would assemble the Molotov cocktail.
5. Defendants BRANNON and ERGUL would use the Molotov cocktail to set fire to and damage the target property.

1 C. OVERT ACTS

2 In furtherance of the conspiracy, and to accomplish the object
3 of the conspiracy, on or about the following dates, defendants
4 BRANNON, ERGUL, and BATTEN committed various overt acts within the
5 Central District of California and elsewhere, including, but not
6 limited to, the following:

7 Overt Act No. 1: In or about early March 2022, defendants
8 BRANNON and ERGUL obtained materials to build a Molotov cocktail.

9 Overt Act No. 2: On or about March 12, 2022, defendants
10 BRANNON and ERGUL built a Molotov cocktail.

11 Overt Act No. 3: On or about March 13, 2022, defendants
12 BRANNON and ERGUL drove to Planned Parenthood.

13 Overt Act No. 4: On or about March 13, 2022, defendants
14 BRANNON and ERGUL ignited the Molotov cocktail.

15 Overt Act No. 5: On or about March 13, 2022, defendant ERGUL
16 threw the Molotov cocktail at the Planned Parenthood.

COUNT TWO

[18 U.S.C. §§ 844(i), 2(a)]

On or about March 13, 2022, in Orange County, within the Central District of California and elsewhere, defendants CHANCE BRANNON, TIBET ERGUL, and XAVIER BATTEN, each aiding and abetting each other, intentionally and willfully damaged and destroyed, by means of fire and an explosive, property used in interstate and foreign commerce, and used in activities affecting interstate and foreign commerce, namely, the Planned Parenthood located in Costa Mesa, California.

COUNT THREE

[26 U.S.C. § 5861(d)]

Beginning on or about March 12, 2022, and continuing until on or about March 13, 2022, in Orange County, within the Central District of California, defendants CHANCE BRANNON and TIBET ERGUL knowingly possessed a firearm, as defined in Title 26, United States Code, Sections 5845(a)(8) and 5845(f), namely, a destructive device, which defendants BRANNON and ERGUL knew to be a destructive device, and which had not been registered to defendants BRANNON or ERGUL in the National Firearms Registration and Transfer Record, as required by Title 26, United States Code, Chapter 53.

COUNT FOUR

[18 U.S.C. § 248(a)(3); 18 U.S.C. § 2(a)]

On or about March 13, 2022, in Orange County, within the Central District of California, defendants CHANCE BRANNON and TIBET ERGUL, each aiding and abetting the other, intentionally damaged and destroyed the property of a facility, namely, the building and structure in which Planned Parenthood was located, because Planned Parenthood, a women's health clinic, was and had been providing reproductive health services. Specifically, defendants BRANNON and ERGUL, each aiding and abetting the other, ignited and threw a destructive device at the entrance to the Planned Parenthood, starting a fire which damaged the property.

A TRUE BILL

/s/
Foreperson

E. MARTIN ESTRADA
United States Attorney

ANNAMARTINE SALICK
Assistant United States Attorney
Chief, National Security Division



DAVID T. RYAN
Assistant United States Attorney
Chief, Terrorism and Export Crimes
Section

KATHRYNNE N. SEIDEN
Assistant United States Attorney
Terrorism and Export Crimes Section